

**REMARKS**

Claim 1 has been amended to more clearly recite the step of mixing a stain blocking agent, a sulfated castor oil and optionally water to prepare a treatment liquid. Support is found, for example, bridging pages 3-4 of the specification.

Support for the new claims is found, for example, at page 4, lines 8-11 (stain blocking agent) and at page 6, lines 6-8 (content of sulfated castor oil) of the specification.

Entry of the amendments is respectfully requested.

Review and reconsideration on the merits are requested.

Claims 1-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 4,937,123 to Chang et al. The Examiner considered Chang et al as teaching a method of preparing a treated textile and treatment liquid substantially as claimed. Polymer A at col. 6, lines 28-42 was cited as disclosing preparation of a copolymer solution of a methacrylic polymer comprising a stain blocking agent, sulfated castor oil and a salt (ammonium persulfate) having a pH of 4.3. As described at col. 8, a treating solution was prepared containing Polymer A which is then used to treat a dyed carpet of nylon 6 fiber. Steaming and washing is disclosed at col. 8, lines 25-28.

Applicants traverse, and respectfully request the Examiner to reconsider in view of the amendments to the claims and the following remarks.

Chang et al discloses, particularly at column 3, line 67 to column 4, line 5, that the sulfated castor oil is copolymerized with acrylate monomers to give a methacrylic polymer. In contrast, in the present invention, the sulfated castor oil is not copolymerized into the stain blocking agent. For example, in Example 1 on page 11 of the specification, the stain blocking

agent A-4 and sulfated castor oil where mixed and diluted with water to give a total amount of 100 g. The pH of the mixture was then adjusted to 1.5 with sulfamic acid. That is, the sulfated castor oil is a component separate from the stain blocking agent and is not introduced as a comonomer into the stain blocking agent.

The amendment to claim 1 clarifies that the sulfated castor oil forms a mere mixture with the stain blocking agent in the present invention. Thus, the sulfated castor oil is a component that is quite different from the stain blocking agent in the present invention. Independent claim 7 as originally filed already contains this language. Namely, the treatment liquid is prepared so as to contain sulfated castor oil as a component separate from the stain blocking agent.

In summary, Chang et al which teaches a treatment liquid including a methacrylic/acrylic acid copolymer where sulfated castor oil is introduced as a comonomer, does not disclose the treatment liquid of the invention where the stain blocking agent and sulfated castor oil are present as separate components. It is therefore respectfully submitted the present claims are not anticipated by Chang et al, and withdrawal of the foregoing rejection under 35 U.S.C. § 102(b) is respectfully requested.

Claims 1-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,197,378 to Clark et al in view of Chang et al. Clark et al was cited as teaching a method of treating carpet using a water-based exhaustion process, where the treating solution contains (1) a glassy fluorochemical material, a glassy hydrocarbon material, or combinations thereof; (2) a stain blocking material; (3) a polyvalent metal salt, acid or combination thereof; and (4) water.

The treating solution is adjusted to a pH of less than about 5, and more preferably, less than about 3, using, for example, sulfamic acid (col. 13, lines 25-36).

Although recognizing that the treatment solution of Clark et al does not call for a sulfated castor oil, the Examiner considered this reference as suggesting the use of hydrocarbons.

The reason for rejection was that it would have been obvious to modify the treatment solution and method of Clark et al by replacing hydrocarbon with a sulfated castor oil as taught by Chang et al, to thereby provide a treatment liquid comprising a sulfated castor oil for use in a similar process for imparting stain resistance.

Applicants respectfully traverse for the following reasons.

The “hydrocarbon” referred to by the Examiner is a “glassy hydrocarbon having a receding contact angle to n-hexadecane of 35° or higher”. See col. 4, lines 22-24. Examples of the hydrocarbon are given at col. 8, line 5 - col. 9, line 17. The Examiner considered that it would have been obvious to replace the “hydrocarbon” of Clark et al with the sulfated castor oil of Chang et al. However, the sulfated castor oil of Chang et al is introduced as a comonomer with the stain blocking agent. Thus, a simple replacement as suggested by the Examiner could not be effected. Also, the sulfated castor oil is not a “glassy hydrocarbon having a receding contact angle to n-hexadecane of 35° or higher”, such that there is no motivation to use sulfated castor oil as the hydrocarbon of Clark et al.

Further in this regard, Applicants submit herewith the Declaration Under 37 C.F.R. § 1.132 of Ikuo Yamamoto, which reports measurements showing that sulfated castor oil has a receding contact angle to n-hexadecane of at most 10°. That is, there is no reason for one of

AMENDMENT UNDER 37 C.F.R. § 1.111  
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ordinary skill to employ sulfated castor oil having a receding contact angle to n-hexadecane of at most 10° in place of the glassy hydrocarbon of Clark et al specified as having a receding contact angle to n-hexadecane of 35° or higher.

Withdrawal of the foregoing rejection under 35 U.S.C. § 103(a) is respectfully requested.

Withdrawal of all rejections and allowance of claims 1-11 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

Respectfully submitted,



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